

IN THE SENATE OF THE UNITED STATES.

MAY 30, 1860.—Ordered to be printed.

Mr. MALLORY submitted the following

REPORT.

*The Committee on Naval Affairs, to whom was referred the petition of A. C. Rhind, have had the same under consideration, and beg leave to report:*

The facts of this case are detailed in the following official statement of the Secretary of the Navy:

NAVY DEPARTMENT, May 2, 1860.

SIR: I have the honor to acknowledge the receipt of your letter inclosing the petition of Lieutenant A. C. Rhind, United States navy, and requesting such information upon the subject as the department may deem proper to communicate.

On May 24, 1855, Lieutenant Rhind, as he states, was tried by a court-martial while attached to the sloop-of-war John Adams, sentenced to be dismissed from the squadron, and sent to the United States. He reported his arrival at New York by letter, dated July 11, 1855, which, with the record of the court-martial in his case, was received at the department July 12. The record was immediately taken by the Acting Secretary of the Navy to the President of the United States, who, after a thorough examination of it, directed that Lieutenant Rhind should be placed on furlough, until further orders. This was done the same day, though the Acting Secretary did not state, in the order to Lieutenant Rhind, that it was done by special direction of the President.

On the 16th of September, 1855, Lieutenant Rhind, still being on furlough, was, in conformity with the finding of the board convened under the act of February 28, 1855, dropped from the navy list. Subsequently, under the act of January 16, 1857, he was restored to the active list of the navy, and, under the sixth section of that act, was allowed the pay he was drawing at the time he was dropped (viz: furlough pay) for the time he was out of the service. That law, as it now stands, does not admit of any other construction. I return the petition.

I am, very respectfully, your obedient servant,

ISAAC TOUCEY.

Hon. JOHN R. THOMSON,

*Acting Chairman of Committee on Naval Affairs, U. S. Senate.*

From this statement it appears that by order of the President of the United States the petitioner was placed on furlough in July, 1855, and that he continued on furlough until he was dropped from the navy by the action of the retiring board. He was subsequently restored under the act of 16th January, 1857, and upon his restoration was entitled to receive for, and during the time he was out of the navy, the pay he was receiving when dropped. That pay, was furlough pay.

There is nothing set up by the petitioner, nor does there appear to the committee any reason for granting the relief prayed for, and they therefore report the following resolution, and recommend its adoption.

*Resolved*, That the prayer of the petitioner be not granted.